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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,) NO. 3:20-CR-00249 RS
Plaintiff,)
v.) UNITED STATES' EX PARTE MOTION FOR
ROWLAND MARCUS ANDRADE,) ALTERNATIVE VICTIM NOTIFICATION
Defendant.) PURSUANT TO 18 U.S.C. § 3771(D)(2)
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Pursuant to 18 U.S.C. § 3771(d)(2), the United States of America respectfully moves for authorization to use alternative victim notification procedures — namely, publication on a Federal Bureau of Investigation website, email notification to victims whose email addresses can be identified , and a press release directing victims to the website— because it believes that there are a large number of potential crime victims in this case, making it impracticable to notify them on an individualized basis. In support of its motion, the Government states the following:

1 1. On June 22, 2020, defendant Andrade was charged in an Indictment with one count
2 of wire fraud in violation of 18 U.S.C. § 1343 and one count of money laundering in violation of 18
3 U.S. § 1956. *Dkt. 1* The Indictment alleged that, beginning no later than July 2017, and continuing
4 through no later than December 2018, the defendant and his co-schemers fraudulently marketed and sold
5 what they claimed was a revolutionary new cryptocurrency, AML Bitcoin. *Id.* Andrade and his co-
6 schemers represented to potential purchasers that AML Bitcoin had groundbreaking patented security
7 features that would allow it to comply with anti-money laundering and know your customer laws, and
8 falsely stated and implied that they had reached or were about to finalize agreements with government
9 agencies, companies, and other prospective users of the cryptocurrency, and that this widespread
10 adoption would cause the value of AML Bitcoin to soar. *Id.* In fact, the defendant and his co-schemers
11 never developed a working AML-compliant bitcoin, and investors who purchased AML Bitcoin tokens
12 (a placeholder precursor to the promised AML Bitcoin) lost their entire investment. After a five-week
13 trial, a jury convicted defendant Andrade of both counts of the indictment - wire fraud and money
14 laundering. *Dkt. 615.* At trial, the government introduced evidence, including ledgers and spreadsheets
15 seized from defendant Andrade's offices, that identified over 4,000 individuals who may have invested
16 in AML Bitcoin; some of those victim entries had email addresses. The evidence at trial established
17 that these purchasers were defrauded, and that their investment funds were never repaid or returned.

18 2. The Crime Victims' Rights Act ("CVRA"), 18 U.S.C. § 3771, provides crime victims
19 with certain rights, including the right to "reasonable, accurate, and timely notice" of public court
20 proceedings. 18 U.S.C. § 3771(a). A "crime victim" is defined as "a person directly or proximately
21 harmed as a result of the commission of a Federal offense." 18 U.S.C. § 3771(e). In a case involving
22 "multiple crime victims" where the court "finds that the number of crime victims makes it impracticable
23 to accord all of the crime victims the rights described in 18 U.S.C. § 3771(a), the Court shall fashion a
24 reasonable procedure to give effect to this chapter that does not unduly complicate or prolong the
25 proceedings." 18 U.S.C. § 3771(d)(2).

26 3. The evidence at trial established that defendant Andrade's fraud scheme affected
27 thousands of market participants—all potential victims—that purchased AML Bitcoin during the time
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1 period alleged in the Indictment. Given the number of potential crime victims, this case involves
2 “multiple crime victims” under 18 U.S.C. § 3771(d)(2) because it is impracticable for the Government
3 to, among other things, identify and provide individualized notice to each potential crime victim
4 pursuant to 18 U.S.C. § 3771(a).

5 4. As an alternative procedure to notify the potential victims in this case, the Government
6 proposes that it take two steps: 1) the government will send email notification to every victim whose
7 email can be identified from the trial evidence. The government has over 4,000 email addresses that
8 may be those of victims who purchased AML Bitcoin, and; 2) the government will create and maintain a
9 public Federal Bureau of Investigation website. The website would provide a summary of the case,
10 information regarding the case’s status, and other significant case-related documents. The website will
11 also contain an email address and phone number for a Victim Assistance Line through which individual
12 potential victims can contact the FBI and the U.S. Attorney’s Office with questions regarding the case.
13 The government will publicize the website through a press release.

14 5. Courts have authorized the use of a website by the Government to notify potential crime
15 victims under the CVRA in other complex fraud cases that involved numerous potential victims,
16 including cases with potential victims of conduct similar to that in this case. *See United States v.*
17 *Ginster*, 22-CR-374 JSC, Dkts. 39, 40 (N.D. Cal. Oct. 2022); *see also United States v. Elbaz*, 18-CR-
18 157-TDC, Dkt. 89 (D. Md. Nov. 5, 2018) (granting motion to permit victim notification through the use
19 of a website in a case involving an alleged conspiracy to defraud investors in binary options); *United*
20 *States v. Babich*, No. CR 16-10343-ADB, 2017 WL 8180771, at *3 (D. Mass. Aug. 8, 2017) (finding
21 alternative victim notification procedures appropriate, including the use of websites, in a fraud case
22 involving a four-and-a-half year conspiracy where the government “had positively identified
23 approximately 30 victims and potentially there were thousands of victims”); *United States v. Citicorp*,
24 No. 3:15-cv-78 (SRU), 2015 WL 5595482, at *1 (D. Conn. Sept. 22, 2015) (permitting victim
25 notification through a Department of Justice website and through letters to lead counsel for plaintiffs in
26 private civil litigations); *United States v. Madoff*, No. 08 Mag. 2735, slip op. at 1-3 (S.D.N.Y. Mar. 6,
27 2009) (permitting the government to satisfy the CVRA by posting notices about scheduled public
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1 proceedings on the U.S. Attorney's Office website and by having the court-appointed trustee include a
2 link to the U.S. Attorney's Office website on the trustee's own website); *United States v. Saltsman*, No.
3 07-CR-641 (NGG), 2007 WL 4232985, at *2 (E.D.N.Y. Nov. 27, 2007) ("Given the large number of
4 potential alleged crime victims, notification by publication [on the U.S. Attorney's Office website or a
5 Department of Justice website] is a reasonable procedure that will both give effect to the [statute] and
6 will not unduly complicate or prolong the proceedings.").

7 THEREFORE, the Government respectfully requests that, under 18 U.S.C. § 3771(d)(2), the
8 Court authorize the Government to use email notification where available, along with an FBI-created
9 website, publicized through a press release, as a reasonable alternative procedure for notifying potential
10 crime victims in this case.

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12 Dated: May 2, 2025

PATRICK D. ROBBINS
Acting United States Attorney

14
15 /s/
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,) CASE NO. 3:20-CR-00249 RS
Plaintiff,)
v.) [PROPOSED] ORDER AUTHORIZING
ROWLAND MARCUS ANDRADE,) ALTERNATIVE VICTIM NOTIFICATION
Defendant.) PURSUANT TO 18 U.S.C. § 3771(d)(2)

)

Upon the United States' *Ex Parte* Motion for Alternative Victim Notification Pursuant to 18 U.S.C. § 3771(d)(2), and for good cause shown, the Court finds that:

1. This case falls within the “multiple crime victims” provision of § 3771(d)(2);
2. It is impracticable, based on the number of potential crime victims, to individually identify all the victims in this case and accord them the notice and the rights described in § 3771(a);
3. The plan of the United States to send emails where victim email addresses can be identified, and to employ a Federal Bureau of Investigation website for victim notification to provide notice to the large number of potential victims in this case is a reasonable procedure to give effect to the provisions of § 3771.

1 Accordingly, the Court hereby ORDERS that the United States is authorized to employ a Federal
2 Bureau of Investigation website for large cases in order to provide notice to the large number of
3 potential victims in this case as described in the United States' *Ex Parte* Motion for Alternative Victim
4 Notification Pursuant to 18 U.S.C. § 3771(d)(2).

5 **IT IS SO ORDERED.**

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7 Dated: May ____ , 2025

8 HONORABLE RICHARD SEEBORG
9 CHIEF UNITED STATES DISTRICT JUDGE

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